

## Bill of Rights

The first ten amendments to the United States Constitution are known as the Bill of Rights. They describe, in broad terms, many of our essential rights and freedoms. Over time, the courts have tried to clarify the extent and precise meaning of these amendments.

**Amendment 1:** Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

**Summary:** **Freedom of religion, speech, press, assembly, and to petition the government.**

**Amendment 2:** A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

**Summary:** **Right to keep and bear arms.**

**Amendment 3:** No Soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

**Summary:** **Soldiers cannot be placed in homes without owners' consent.**

**Amendment 4:** The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**Summary:** **Security from unreasonable searches and seizures; probable cause needed for warrants.**

**Amendment 5:** No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**Summary:** **No self incrimination or double jeopardy for crimes; right to a grand jury, due process of law, and compensation for taking of public property.**

**Amendment 6:** In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

**Summary:** **Right to a speedy trial by jury, to be informed of charges, confront witnesses, and have legal advice.**

**Amendment 7:** In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

**Summary:** **Right to jury in civil cases over \$20 in value.**

**Amendment 8:** Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Summary:** **No excessive bail or fines or cruel and unusual punishments.**

**Amendment 9:** The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Summary:** **The Constitution shall not deny other rights of people.**

**Amendment 10:** The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

**Summary:** **State powers are acknowledged.**

*"Why has the government been instituted at all? Because the passions of men will not conform to the dictates of reason and justice without constraint."*



**Citizens of the United States have the right to assemble peaceably.**

Name \_\_\_\_\_ Date \_\_\_\_\_

## Do You Know Your (Bill of) Rights?

Tell which amendment in the Bill of Rights relates to each of the following examples. Put the amendment number on the line provided.

- \_\_\_\_\_ 1. A bail of \$500 is set for writing bad checks.
- \_\_\_\_\_ 2. The speed limit on state highways is 55 miles per hour (mph).
- \_\_\_\_\_ 3. A gun enthusiast can keep his collection in his/her home.
- \_\_\_\_\_ 4. You can file a lawsuit against the person who ran into your fence with his car.
- \_\_\_\_\_ 5. You can attend the Methodist Church.
- \_\_\_\_\_ 6. During a state of emergency, the National Guard needs shelter for its troops—but not in *my* house!
- \_\_\_\_\_ 7. You are arrested for grand theft auto and your lawyer advises you not to testify at your trial.
- \_\_\_\_\_ 8. You can state your point of view at a town meeting.
- \_\_\_\_\_ 9. You can wear a t-shirt that reads: "Save the Whales!"
- \_\_\_\_\_ 10. States have the right to regulate businesses.
- \_\_\_\_\_ 11. You are arrested and taken directly to court to be tried for your alleged crimes.
- \_\_\_\_\_ 12. You have the right to attend college if you want to.
- \_\_\_\_\_ 13. A policeman, unannounced, walks into your house and begins a search without a search warrant.
- \_\_\_\_\_ 14. You write a letter to the newspaper complaining about the conditions of the city streets.
- \_\_\_\_\_ 15. You petition the school board for longer lunch periods.

Now create five examples of your own!

---

---

---

---

---

## Law

A *law* is a statement or rule that tells us what we may or may not do. There is a federal law, for example, that prevents anyone besides the federal government from printing or minting money. In order for a law to be "legal" or valid it must have a clear definition and a penalty. There are two broad sets of laws known as criminal and civil laws.

All laws must follow the broad limits of the United States Constitution. The purpose of any law is to help regulate a nation (federal), geographic area (state), or city (local). Laws create order out of chaos. Without laws citizens would be unable to enjoy the benefits of their freedom.

Our nation is governed by the principles of *rule of law* and *due process*. Rule of law refers to the idea that all people must obey the law; no one is considered above or outside the law. Due process means that all citizens should be treated equally and fairly when a law is applied to them. A democratic society requires that both principles be enforced in order to promote justice. It would not be possible to live without these principles in our structure of government.

Imagine that you and your friends were washed ashore on a tropical island. The island is uninhabited but has ample food, water, and shelter for everyone. No one owns the island, and no one knows you are there. You may be trapped on the island for days or years. Would you want to have laws to help the group live together peacefully? If so, describe some of these laws. If not, how do you know that everyone would behave correctly? William Golding wrote about how a party of young people survived in this setting in his book, *Lord of the Flies*. You may want to read this book to get a better idea of how laws affect a community. Jot down a few ideas that you think would enable your group to live together in peace in a situation such as the one mentioned above.

---

---

---



*"No man is above the law and no man is below it; nor do we ask any man's mission when we require him to obey it. Obedience to the law is demanded as a right; not asked as a favor."*

*-Theodore Roosevelt-*



Name \_\_\_\_\_ Date \_\_\_\_\_

## Fair vs. Unfair Laws

Based on our discussion of democracy and the law, decide whether the following laws would be fair or unfair. Rate them according to your opinion as to what is a "good" versus a "bad" law. Have an explanation in mind for each answer.

- \_\_\_\_\_ Males at age eighteen must register for military services.
- \_\_\_\_\_ All businesses need a license to operate.
- \_\_\_\_\_ People are allowed to keep poisonous pets at home.
- \_\_\_\_\_ Guns may not be fired within city limits.
- \_\_\_\_\_ Left-handed children must sit in the back of their classrooms in school.
- \_\_\_\_\_ Dogs must be walked on a leash.
- \_\_\_\_\_ There must be height and weight requirements for airplane pilots.
- \_\_\_\_\_ Religious materials may not be handed out in public parks.
- \_\_\_\_\_ People may not picket outside a doctor's office.
- \_\_\_\_\_ Wage earners need to pay federal and state income tax.
- \_\_\_\_\_ People with AIDS should not be allowed to work in hospitals.
- \_\_\_\_\_ People who own three or more pets may not apply for welfare benefits.
- \_\_\_\_\_ Senior citizens are entitled to a 10% discount for any type of purchase.
- \_\_\_\_\_ All mentally ill citizens must be placed in hospital care.

List some examples of other laws that you consider to be "fair" (good) or "unfair" (bad).

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_



Name \_\_\_\_\_ Date \_\_\_\_\_

## Civil Law

There are two general types of law—civil and criminal. *Civil law* deals with the personal and property rights of people, such as signing a contract to buy a house, getting married or divorced, and paying taxes. A dispute over one or more of these rights is resolved in a civil court through a *lawsuit*. The person who decides to sue someone is called a *plaintiff*. If a plaintiff sues and wins a lawsuit, he or she may be given an award (money) to be paid by the *defendant*, or loser of the lawsuit. The plaintiff could be one person or a group (such as a business or governing body). The defendant could also be an organization.

### "The Case of the Lost Vacation"

Milo Manheim is a carpenter who saved \$3,000 in order to spend two weeks of vacation in Hawaii. He booked all of his travel arrangements with EZ-GO Lucky, a local discount travel agency. The package deal cost \$3,000 and included the airfare, hotel, meals—everything! Milo had waited two years to save up enough money to go on his dream vacation.

Ten days before his departure Milo went to the travel agency to pick up his airplane tickets. The large sign outside the agency read "Out of Business." Greatly upset, Milo hurried to his attorney and had him file a lawsuit against EZ-GO Lucky. "Sue those crooks!" he yelled to the lawyer. "I want my \$3,000 back!"

Milo the plaintiff had his day in court. The judge listened to his complaint and to the responses of EZ-GO Lucky's attorney. In the end, Milo was awarded \$3,000 by the judge. Even though Milo didn't make it to Hawaii, he did manage to get his money refunded.

Do you feel that Milo received "justice"? Explain your answer.

---

---

---

---

---

---

---

---

---

---

Name \_\_\_\_\_ Date \_\_\_\_\_

## Everyday Laws

Civil laws are made at all three levels of government. They affect virtually all of us during our lifetimes. The following is a list of topics covered by civil laws in the United States. Place a check mark next to the issues that have affected you or relate to your life.

- |   |                                     |
|---|-------------------------------------|
| _____ birth certificate                 | _____ driver's license              |
| _____ getting a polio shot              | _____ walking your dog on a leash   |
| _____ storing toxic waste in containers | _____ wearing clothes in public     |
| _____ having a social security number   | _____ applying for a credit card    |
| _____ getting a prescription drug       | _____ no parking near fire hydrants |
| _____ building codes                    | _____ regulation of waterways       |
| _____ food sales to customers           | _____ auto inspections              |
| _____ emergency hospital care           | _____ paying taxes                  |
| _____ movie ratings                     | _____ going to school               |
| _____ flying an airplane                | _____ enlisting in the military     |

Can you think of any other civil laws that affect you?

---

---

---

---

---

---

---

---

---

---

Name \_\_\_\_\_ Date \_\_\_\_\_

## Criminal or Civil Wrong?

Take a look at the following examples. Try to decide if a crime or a civil wrong has occurred. Write either "crime," "civil," or "both" beside each example. Be prepared to explain your choices.

- \_\_\_\_\_ 1. Someone refuses to pay their city water bill.
- \_\_\_\_\_ 2. A driver refuses to take a breathalyzer test.
- \_\_\_\_\_ 3. A neighbor accidentally mows over your prize petunias.
- \_\_\_\_\_ 4. There are loud, all night parties at the house next door.
- \_\_\_\_\_ 5. Someone writes a check for groceries knowing there is no money left in the bank account.
- \_\_\_\_\_ 6. Someone intentionally puts less money in a parking meter than is required.
- \_\_\_\_\_ 7. Someone refuses to help a law enforcement officer when ordered to do so.
- \_\_\_\_\_ 8. Someone makes a \$2 wager on the outcome of a professional football game.
- \_\_\_\_\_ 9. There are cockroaches and rats in the kitchen of a popular restaurant.
- \_\_\_\_\_ 10. A company uses false advertising.
- \_\_\_\_\_ 11. Someone is caught fishing without a license.
- \_\_\_\_\_ 12. A person borrows a neighbor's car without permission.
- \_\_\_\_\_ 13. A factory dumps toxic waste into the water supply.
- \_\_\_\_\_ 14. The train engineer is found to be operating a train while he is intoxicated.
- \_\_\_\_\_ 15. A pickpocket puts his hand in the empty pocket of a stranger.
- \_\_\_\_\_ 16. A car manufacturer knowingly makes defective autos.
- \_\_\_\_\_ 17. Someone forgets to put their seatbelt on in the front seat of a car.
- \_\_\_\_\_ 18. A hospital overcharges for its services.
- \_\_\_\_\_ 19. Someone takes a shopping cart home.
- \_\_\_\_\_ 20. A surgeon operates, but removes the wrong organ from the patient.



Name \_\_\_\_\_ Date \_\_\_\_\_

**What Am I?**

Definitions are provided for words that were covered in this section. On the line following each definition, write the word described.

1. A statement about what we may or may not do. \_\_\_\_\_
2. When a law requires us to do something and we don't do it. \_\_\_\_\_
3. Person who sues another in civil court. \_\_\_\_\_
4. Laws that refer to crimes. \_\_\_\_\_
5. A major or serious crime. \_\_\_\_\_
6. Person accused of a crime. \_\_\_\_\_
7. A law that is enacted by communities about a less serious offense. \_\_\_\_\_
8. Money "won" in civil court. \_\_\_\_\_
9. No one is above or outside the law. \_\_\_\_\_
10. Laws that relate to civil issues like marriage. \_\_\_\_\_
11. Branch of government that makes laws. \_\_\_\_\_
12. Author of the Declaration of Independence. \_\_\_\_\_
13. Contains preamble, seven articles, and 27 amendments. \_\_\_\_\_
14. Three parts of criminal justice system. \_\_\_\_\_
15. First ten amendments to the Constitution. \_\_\_\_\_
16. People responsible for enforcing the laws. \_\_\_\_\_
17. An example of a sentence (punishment). \_\_\_\_\_
18. Three basic principles of a democracy. \_\_\_\_\_
19. A criminal law includes a definition and a \_\_\_\_\_
20. One purpose of criminal law. \_\_\_\_\_